

AMENDMENTS TO THE CLAIMS

1.-20. (CANCELED)

21. **(PREVIOUSLY PRESENTED)** A system for delivering a staple to a locus of an artery comprising

- a. a delivery conduit insertable within the lumen of an artery, through which delivery conduit a staple can be delivered to the locus, wherein the delivery conduit has a distal end flexibly connected to a proximal section of the delivery conduit, whereby the distal end of the delivery conduit may be oriented at an angle with respect to the proximal section of the delivery conduit;
- b. an elongated insertion element insertable within the lumen of an artery alongside the delivery conduit, the elongate insertion element being:

- (1) stiffer than at least the distal end of the delivery conduit, and
- (2) having an insertion element joinder location pivotally coupled to the delivery conduit at a delivery conduit joinder location at or adjacent the distal end of the delivery conduit, the pivotal coupling fixing the insertion element joinder location and the delivery conduit joinder location at an at least substantially constant distance between each other,

whereby advancing the proximal section of the delivery conduit toward the distal end of the delivery conduit causes bending of the delivery conduit such that the angle of the distal end of the delivery conduit changes.

22. **(PREVIOUSLY PRESENTED)** The system of claim 21 wherein the insertion element joinder location and the delivery conduit joinder location are pivotally coupled by a flexible tether extending therebetween, the flexible tether extending about and/or into one or both of the insertion element and the delivery conduit.

23. (CURRENTLY AMENDED) A system for delivering a staple to a locus of an artery, the system including:

a. a delivery conduit insertable within the lumen of an artery, wherein the delivery conduit includes:

- (1) a proximal delivery conduit section,
- (2) a distal delivery conduit section terminating in a distal delivery conduit end, the distal delivery conduit section being flexibly joined to the proximal delivery conduit such that the distal delivery conduit end may be oriented at an angle with respect to the proximal delivery conduit section,
- (3) an outer delivery conduit surface extending along the proximal and distal delivery conduit sections, and
- (4) an inner passage through which a staple can be delivered to the locus;

b. an elongated insertion element:

- (1) wherein the elongated insertion element is joined to the delivery conduit at or adjacent the distal end of the delivery conduit such that a distal end of the elongated insertion element extends beyond the distal end of the distal end of the delivery conduit,

(2) being stiffer than at least the distal end of the delivery conduit,

- (2) (3) having an outer insertion element surface extending alongside the outer delivery conduit surface and being joined thereto at a joiner location at or adjacent the distal end of the delivery conduit, with the outer insertion element surface and the outer delivery conduit surface being pivotally fixed together at the joiner location,

whereby advancing the proximal section of the delivery conduit toward the distal end of the delivery conduit causes bending of the delivery conduit such that the angle of the distal end of the delivery conduit changes.

24. **(PREVIOUSLY PRESENTED)** The system of claim 23 further including a flexible tether joining the outer insertion element surface and the outer delivery conduit surface at the joiner location.
25. **(PREVIOUSLY PRESENTED)** The system of claim 24 wherein the flexible tether extends about and/or into one or both of the insertion element and the delivery conduit.
26. **(CANCELED)**
27. **(NEW)** The system of claim 23 wherein the delivery conduit and insertion element extend alongside and exterior to each other at the joiner location, and for a length extending proximally thereto.
28. **(NEW)** The system of claim 23 wherein the insertion element is defined by:
- a. a guide wire, or
 - b. a catheter through which a guide wire extends.
29. **(NEW)** The system of claim 23 wherein the insertion element includes an inflatable balloon.
30. **(NEW)** The system of claim 29 wherein the inflatable balloon is situated between the insertion element and the delivery conduit.
31. **(NEW)** The system of claim 23 wherein:
- a. the insertion element is a catheter mounted on a guide wire, and
 - b. the insertion element bears an inflatable balloon.

32. (NEW) The system of claim 21 wherein the delivery conduit and insertion element extend alongside and exterior to each other at the pivotal coupling, and for a length extending proximally thereto.
33. (NEW) The system of claim 21 wherein the insertion element is defined by:
- a. a guide wire, or
 - b. a catheter through which a guide wire extends.
34. (NEW) The system of claim 21 wherein the insertion element includes an inflatable balloon.
35. (NEW) The system of claim 34 wherein the inflatable balloon is situated between the insertion element and the delivery conduit.
36. (NEW) The system of claim 21 wherein:
- a. the insertion element is a catheter mounted on a guide wire, and
 - b. the insertion element bears an inflatable balloon.